

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, MAY 8, 2013

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JANET DUNN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
KAREN GOODHUE, TREASURER
DINO F. BUCCI, JR, TRUSTEE
CLIFFORD W. FREITAS, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jerome Schmeiser, Planning Consultant
James VanTiflin, Township Engineer Director
(Additional attendance on file at the Clerk's Office)

Supervisor DUNN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and item #8 and #14 were tabled to May 22, 2013, no items were moved to the Consent agenda, and no items were added.

MOTION by KRZEMINSKI seconded by GOODHUE to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

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MOTION by NEVERS seconded by FREITAS to approve both bill runs as proposed.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on April 24, 2013 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by GOODHUE seconded by NEVERS to approve the minutes of the meeting of April 24, 2013 as presented.

MOTION carried.

5. **Consent Agenda Items:**

A. Water and Sewer Department:

1. Request Authorization to Pay Advanced Underground Inspection for Sewer Main Maintenance. Invoice 9213.
2. Request Authorization to Pay Advanced Underground Inspection for Sewer Main Maintenance. Invoice 9214.
3. Request Authorization to Pay SLC Meter Service Inc. for Customer Installation Parts and two (1.5") Meters.
4. Request Authorization to Pay Michigan Meter Technology Group Inc. for 1" Water Meters.
5. Request Authorization to Pay SLC Meter Service Inc. for Repair Clamps.
6. Easement Encroachment: Deerfield Park Subdivision No. 1, Sidwell # 08-22-376-008.
7. Easement Encroachment: Parkview Estates Subdivision Sidwell # 08-23-124-013.
8. Easement Encroachment: Harmony Acres Subdivision Sidwell # 08-16-274-015.
9. Easement Encroachment: Lancaster Subdivision Sidwell # 08-28-251-017.

B. Fire Department:

1. Request for Personnel to Attend Free Ethanol Safety Seminar.
2. Request for Personnel to Attend Extrication Training.
3. Request to Attend Chief's Leadership Training Conference.

C. Human Resources Department:

1. Request Authorization to Advance Employee #1604.

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Supervisor DUNN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

MOTION by KRZEMINSKI seconded by FREITAS to approve the Consent Agenda as prepared.

MOTION carried.

6. Public Comments, Agenda Items Only

NONE

OLD BUSINESS

7. Public Hearing for Industrial Facilities Tax Abatement for Century Plastics.
(Tabled from April 10, 2013 meeting)

Township Legal Counsel Larry Dloski stated the Industrial Facility Exemption Certificate request is in the amount of five million one hundred forty thousand dollars (\$5,145,000.00). The exemption is for a 10 year period, 4 years for personal property fixtures and equipment, 7 years for job creation and is expected to create 90 new jobs within the next 2 years.

MOTION by KRZEMINSKI seconded by GOODHUE to adopt the following resolution for an Industrial Facilities Tax Abatement for 10 years as requested for Century Plastics, 51258 Quadrate Drive:

**RESOLUTION APPROVING APPLICATION FOR INDUSTRIAL
FACILITIES EXEMPTION CERTIFICATE**

WHEREAS, Act No. 198 of the Michigan Public Acts of 1974, as amended, was enacted for the purpose of stimulating economic development in the State of Michigan by providing tax benefits to industry through the establishment of Plant Rehabilitation Districts and Industrial Development Districts; and

WHEREAS, the Macomb Township Board, acting under the authority of said Act, did, on August 22, 2012, designate as an Industrial Development District the following real property located in Macomb Township, Macomb County, Michigan:

**Lots 2, 3, 4 and 5 of Quadrate Corporate Park Subdivision, according to the Plat thereof as recorded in Liber 129, pages 1-3 of Plats, Macomb County Records,
And**

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WHEREAS, pursuant to the provisions of Act No. 198 of the Michigan Public Acts of 1974, as amended, Century Plastics, Inc, a Michigan corporation, on March 12, 2013, filed an Application for Industrial Facilities Exemption Certificate for a project located within said Industrial Development District created on August 22, 2012; and

WHEREAS, as required by Section 5(2) of Act No. 198 of the Michigan Public Acts of 1974, as amended, upon receipt of this Application, the Macomb Township Board held a public hearing on May 8, 2013, at which the applicant, the Township Assessor and a representative of each taxing unit which levies ad valorem property taxes in the local governmental unit in which the facility is to be located were afforded an opportunity to be heard, having received proper notification in writing of such public hearing; and

WHEREAS, as required by Section 9(1) of Act 198 of the Michigan Public Acts of 1974, as amended, the Macomb Township Board hereby determines that the granting of the requested industrial facilities exemption certificate, considered together with the aggregate amount of industrial facilities exemption certificates previously granted and currently in force, shall not have the effect of substantially impeding the operation of the local governmental unit or impairing the financial soundness of any taxing unit which levies an ad valorem property tax in the Township, and that said certificate, if granted, considered together with the aggregate amount of industrial facilities exemption certificates previously granted and currently in force, will not exempt property valued in excess of 5% of the state equalized valuation of the local governmental unit;

NOW, THEREFORE,

BE IT RESOLVED, that inasmuch as Century Plastics Inc. has complied with the provisions of Michigan Public Act 198 of 1974, as amended, relating to applications for exemption, the Macomb Township Board hereby approves its Application for a fifty percent (50%) abatement for the ten (10) year period requested, and directs the Township Clerk to so certify and to forward the approved Application to the Michigan State Tax Commission for consideration by that body.

AYE: KRZEMINSKI, GOODHUE, BUCCI, FREITAS, NEVERS, KOEHS, DUNN

NAY: NONE

ABSENT: NONE

MOTION carried.

8. Request Consideration of Medstar Proposal for SMART Contract.

(Tabled to the May 22, 2013 meeting)

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9. Consideration of Letter of Engagement for Plante & Moran for a Review of the 41A District Court.

Mr. Mark Hurst was present for Plante Moran, stated his request is for a letter of engagement to start the exploratory phase with the possibility of building a District Court Facility within the Township.

MOTION by NEVERS seconded by FREITAS to allow Plant Moran to begin the research and update the financial projections of the 41-A District Court.

MOTION carried.

NEW BUSINESS

10. Request to Approve Budget Reallocations for Current Fiscal Year.

Finance Director Stacy VanReyendam is requesting to reallocate budgets within the General Fund cost centers. Mrs. VanReyendam noted the total amount of the expenditures is not changing.

MOTION by FREITAS seconded by GOODHUE to reallocate the funds as proposed.

MOTION carried.

11. Request to Approve Budget Amendments for Current Fiscal Year.

Finance Director Stacy VanReyendam informed the Board of her request to amend two funds for the current fiscal year. The Building Authority Construction Fund needs to be increased from \$90,980.00 to \$102,013.00 due to the cost associated with the Macomb Corners Park and the Fire Pension Fund expenditures need to be increased from \$172,250.00 to \$206,738.00 due to 2 unanticipated payouts of non pension edible Employees.

MOTION by FREITAS seconded by KRZEMINSKI to adopt the following Resolution to reallocate the Building Authority Construction Fund and the Fire Pension Fund:

Be it resolved that the Building Authority Construction Fund expenditures be increased from ninety thousand nine hundred eighty dollars (\$90,980.00) to one hundred two thousand thirteen dollars (\$102,013.00), and

Be it further resolved that the Fire Pension Fund expenditures be increased from one hundred seventy two thousand two hundred fifty dollars

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(\$172,250.00) to two hundred six thousand seven hundred thirty eight dollars (206,738.00).

AYE: FREITAS, KRZEMINSKI, BUCCI, NEVERS, GOODHUE, KOEHS, DUNN

NAY: NONE

ABSENT: NONE

MOTION carried.

12. Request Approval for Document Imaging Conversion of Water and Sewer Residential Files.

Charles Pierce, Township Records Manager discussed the final converting of the paper residential files for the Water & Sewer Department. Mr. Pierce stated the cost to the Township for the converting of 300,000 documents would be \$24,000.00.

MOTION by NEVERS seconded by KRZEMINSKI to authorize DSS Corporation to complete the scanning project for the Water & Sewer Department in the amount of twenty-four thousand dollars, (\$24,000.00).

MOTION carried.

13. Request Approval for Temporary Certificate of Occupancy; Randazzo's Nursery, East Side of Romeo Plank Road, south of 25 Mile Road.

Jim Van Tiflin, Township Engineer, updated the Board of the progress at the site. Mr. Van Tiflin stated there were 5 items that needed to be completed within the next two weeks.

Larry Dloski, Township Attorney, clarified to the Board Mr. Meagher request for the Township Board to delegate to the Township Engineer and Building Official the authority to issue a Certificate of Occupancy when they have determined the punch list has been completed.

Mr. Patrick Meagher was present for the petitioner. In his statement he thanked the Township Departments for their assistance and mentioned the site was 99.5 percent completed with only minor items that need to be addressed and should be 100 percent finished on Friday.

MOTION by BUCCI seconded by KOEHS to approve the Certificate of Occupancy for Randazzo Nursery contingent upon a final inspection by the Engineer and the Building Official.

MOTION carried.

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HUMAN RESOURCES DEPARTMENT

14. Request to Promote Employee #444 and #137.

(Tabled to the May 22, 2013 meeting)

PARKS AND RECREATION DEPARTMENT

15. Request Consideration for Creation of a Dog Park in Macomb Township.

Sal DiCaro, Parks and Recreation Director mentioned he had explored the request for a Dog Park in Macomb Township and the first step is to receive site plan cost estimates. Mr. DiCaro will work with the Township Engineer on the site plan and stated the Park will not exceed \$5,000.00 (Five Thousand Dollars).

MOTION by GOODHUE seconded by NEVERS to explore the possibility of creating a Dog Park.

MOTION carried.

FIRE DEPARTMENT

16. Request to Purchase 2013 KME Mini-Pumper.

Chief Robert Phillips informed the Board the 2013 KME Mini Pumper is a 4 door Ford 550 and it is currently in the process of being manufactured, but is considered a demo. The cost for the KME Mini Pumper is \$249,433.00.

MOTION by BUCCI seconded by KOEHS to Purchase the Ford 550 4 door Mini Pumper Truck in the amount of Two Hundred Forty-Nine Thousand Four Hundred Thirty-Three Dollars (\$249,433.00).

MOTION carried.

WATER AND SEWER DEPARTMENT

17. Request Approval to Pay Engineer's Payment Certificate No. 10 Sanitary Pump Station No. 9 Replacement (21 Mile Road East of Romeo Plank Road) SDA Job No.MA09-011.

Gerry Wangelin, Water & Sewer Department Superintendent, asked the Board for a progress payment in the amount of \$39,400.00 for Rickman Construction.

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Mr. Wangelin stated both he and the Township Engineer reviewed and recommend approval of this matter.

MOTION by KRZEMINSKI seconded by GOODHUE to Pay Engineer's Payment Certificate for Rickman Construction in the amount of Thirty-Nine Thousand Four Hundred Dollars (\$39,400.00).

MOTION carried.

Public Comments, Non-Agenda Items Only - (3 minute time limit)

Annette Castillo spoke regarding the residents who reside in the Traditional Neighborhood and how upset they are with the builders and developers dumping their surplus of materials and trash in the Town Center area and the lack of enforcement by the Building Department.

BOARD COMMENTS

18. Supervisor Comments

Supervisor Dunn stated unforeseen things have occurred and she would like to suspend the process of recruitment of an IT Specialist so that it may be further discussed and analyzed.

MOTION by BUCCI seconded by KRZEMINSKI to suspend the recruitment process for an IT Specialist.

19. Clerk Comments

None.

20. Treasurer Comments

Treasurer Goodhue spoke regarding updates with Bank of America for persons doing the ACH payments (Automatic Clearing House) which is a method the Township uses for the automatic deposit of payroll, paying the Schools and things of that nature. Treasurer Goodhue stated a Resolution needs to be passed so the cards can be updated with First State Bank.

MOTION by GOODHUE seconded by BUCCI to adopt the following resolution to have First State Bank update the Township Automatic Clearing House Records:

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Be it resolved, that First State Bank of East Detroit (herein called "Financial Institution") be, and it is hereby, designated and Originator Depository Financial Institution transacting ACH origination entries on behalf of said Company.

Be it further resolved that the personnel identified on the ATTACHMENT 4 to the ACH Agreement be authorized to construct and transmit ACH transactions and provide verification thereof on behalf of the Company.

AYE: GOODHUE, BUCCI, KRZEMINSKI, FREITAS, NEVERS, KOEHS, DUNN

NAY: NONE

ABSENT: NONE

MOTION CARRIED.

21. Trustees Comments

Trustee Krzeminski had many questions for Departments, each Department responded to his questions and gave an appropriate answer.

Trustee Bucci asked Daniel Fairless the Building Official on the status of the exposed irrigation line in the Town Center where Mrs. Castillo lives. Mr. Fairless stated they were told that the irrigation line along with other landscaping and yard maintenance issues would be resolved this year. Trustee Bucci also spoke regarding the Compensation Committee and that a member had resigned and to accept the resignation of that individual. Trustee Bucci then requested the Board to consider Joe Sabatini who is a County Commissioner, a long time resident and has a finance degree to be the replacement.

MOTION by BUCCI seconded by NEVERS to appoint Joe Sabatini to the Compensation Committee.

MOTION carried.

MOTION by BUCCI seconded by GOODHUE to adjourn to Executive Session at 7:50 p.m.

Motion carried.

The Board returned to regular session at 8:05 p.m.

EXECUTIVE SESSION

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22. Proposed Settlement of 2011 through 2012 Michigan Tax Tribunal Appeal; Docket No. 416637, Permanent Parcel No. 08-36-429-007.

MOTION by GOODHUE seconded by FREITAS to authorize legal counsel to sign the consent judgment.

MOTION carried.

23. Proposed Settlement of 2011 through 2012 Michigan Tax Tribunal Appeal; Docket No. 415615, Permanent Parcel No. 08-09-100-004.

MOTION by GOODHUE seconded by NEVERS to authorize legal counsel to sign the consent judgment.

MOTION carried.

24. Proposed Consent Judgment; Denewith & Biltmore Land vs. Macomb Township; located on the north side of 22 Mile Road, west of Garfield Road, Section 19.

MOTION by FREITAS seconded by GOODHUE to authorize legal counsel to sign the consent judgment.

MOTION carried.

25. Proposed Settlement of 2011 through 2012; Michigan Tax Tribunal Appeal; Docket No. 416826, Parcel # 08-24-101-012.

(Information Only)

ADJOURNMENT

MOTION by BUCCI seconded by GOODHUE to adjourn the Board of Trustees meeting at 8:08 p.m.

MOTION carried.

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Respectfully submitted,

Janet I. Dunn
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk